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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,483	02/28/2002	Jeffrey L. Beseth	702.161	2117
29228 7590 02/25/2008 GARMIN INTERNATIONAL, INC. ATTN: Legal - IP 1200 EAST 151ST STREET OLATHIE, KS 66062				
EXAMINER				
TRAN, THANH Y				
ART UNIT		PAPER NUMBER		
2892				
MAIL DATE		DELIVERY MODE		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/086,483

Applicant(s)

BESETH ET AL.

Examiner

THANH Y. TRAN

Art Unit

2892

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

The indicated allowability of claims 32-37 is withdrawn in view of the newly discovered reference(s) to Girard (U.S. 5,513,068). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 32-34 and 36 are rejected under 35 U.S.C. 102(b) as being anticipated by Girard (U.S. 5,513,068).

As to claim 32, Girard discloses in figures 1, 2C, 3 and 4 an avionic instrument mounting system, comprising: a first mounting frame (46, figure 2C) adapted for mounting to an avionic mounting surface, the first mounting frame (46, figure 2C) presenting a first mounting surface aligned in a first plane and a second mounting surface aligned in a second plane substantially parallel to the first plane; wherein the first mounting surface includes a first pair of substantially parallel flanges (vertical flanges 78) and the second mounting surface includes a second pair of substantially parallel flanges (horizontal flanges 78) aligned at approximately ninety degrees to the first pair of flanges (vertical flanges 78); and a second mounting frame (60, figure 4) coupled to the first mounting surface for securing an electronic module to the first mounting frame (46).

As to claim 33, Girard discloses in figures 1, 2C, 3 and 4 an avionic instrument mounting system, wherein a cross-section of the second mounting frame (60, figure 4) includes a long axis

and a short axis, and wherein the second mounting frame (60) is coupled to the first mounting frame (46) with the long axis oriented vertically.

As to claim 34, Girard discloses in figures 1, 2C, 3 and 4 an avionic instrument mounting system, wherein the flanges (78) of the first mounting surface (46) are substantially vertically aligned and the flanges (78) of the second mounting surface (comprising horizontal flanges 78) are substantially horizontally aligned.

As to claim 36, Girard discloses in figures 1, 2C, 3 and 4 an avionic instrument mounting system, wherein the first mounting frame (46) provides a horizontal range of mounting locations along which the second mounting frame (60, figure 4) may be coupled thereto.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 35 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girard (U.D.S. 5,513,068) in view of Moss et al (U.S. 6,144,549).

As to claim 37, Girard discloses in figures 1, 2C, 3 and 4 an avionic instrument mounting system, comprising: a first mounting frame (46, figure 2C) adapted for mounting to an avionic mounting surface, the first mounting frame (46) presenting a first mounting surface aligned in a first plane and a second mounting aligned in a second plane substantially parallel to the first plane; wherein the first mounting surface includes a first pair of substantially parallel flanges (vertical flanges 78) and the second mounting surface includes a second pair of substantially parallel flanges (horizontal flanges 78) aligned at approximately ninety degrees to the first pair of flanges (vertical flanges 78); a second mounting frame (60, figure 4) coupled to the first mounting surface (comprising vertical flanges 78) for securing an electronic module to the first mounting frame (46); and wherein a cross-section of the second mounting frame (60) includes a long axis and a short axis, and wherein the second mounting frame (60) is coupled to the first mounting frame (46) with the long axis oriented vertically along one of a plurality of horizontally mounting locations.

Girard does not disclose a display unit located directly in front of the first mounting frame, the display unit having a vertical range of mounting locations with along the first mounting frame.

Moss et al discloses in figure 2 a display unit (240) located directly in front of a mounting frame (200), the display unit (240) having a vertical range of mounting locations with along the mounting frame (200). It should be noted that: the display unit 240 is coupled to the mounting frame 200 via hinges 270 which include a vertical range of mounting locations when the frame

Art Unit: 2892

200 is vertically rotated. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the mounting system of Girard by having a display unit located directly in front of the first mounting frame, and the display unit having a vertical range of mounting locations with along the first mounting frame as taught by Moss et al for providing a flat panel display module for the PC/ "computer system".

As to claim 35, Girard does not disclose a display unit located directly in front of the second mounting frame, and the display unit having a vertical range of mounting locations along the first mounting frame.

Moss et al discloses in figure 2 an avionic instrument mounting system, comprising a display unit (240) located directly in front of the second mounting frame (250), the display unit (240) having a vertical range of mounting locations along the first mounting frame (200). It should be noted that: the display unit (240) having a hinges 270 which include a vertical range of mounting locations when the frame 200 is vertically rotated. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the mounting system of Girard by having a display unit located directly in front of the second mounting frame, and the display unit having a vertical range of mounting locations along the first mounting frame as taught by Moss et al for providing a flat panel display module for the PC/ "computer system".

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nagasaka et al (U.S. 6,984,784), Golbach (U.S. 5,812,377), Hancock et al (U.S. 5,724,227), and Mills et al (U.S. 6,075,694) disclose relevant prior art to the present invention.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THANH Y. TRAN whose telephone number is (571)272-2110. The examiner can normally be reached on M-F (9-6:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thao X. Le can be reached on (571) 272-1708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. Y. T./
Examiner, Art Unit 2892

/Thao X Le/
Supervisory Patent Examiner, Art Unit
2892

